

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES - GENERAL**

Case No.	CV 15-7803 DDP (FFMx)	Date	September 18, 2017
Title	AUDIGIER BRAND MANAGEMENT GROUP, LLC v. RHITA PEREZ, et al.		

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Present: The Honorable	Frederick F. Mumm, United States Magistrate Judge
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James Munoz	N/A	N/A
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Deputy Clerk	Court Reporter / Recorder	Tape No.
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Attorneys Present for Plaintiffs:

None present

Attorneys Present for Defendants:

None present

**Proceedings: (IN CHAMBERS) ORDER TO SHOW CAUSE**

Before this Court is Plaintiff's ex parte application (the "ex parte application") to compel further discovery responses from Defendant Serge Kraif ("Defendant Kraif"). (Dkt. 69.) The Court notes that the District Judge vacated all previously scheduled dates on September 15, 2017. Therefore, the need to file this discovery motion on an ex parte basis no longer exists. Thus, the Court denies the ex parte application without prejudice. Nonetheless, given the assertion that Defendant Kraif has failed to comply with a prior Court order, the Court issues this Order to Show Cause directed to Defendant Kraif.

On February 21, 2017, the Court ordered Defendant Kraif to produce bank statements from all his bank accounts for the 2013 fiscal year. (*See* Dkt 48.) On April 21, 2017, Defendant Kraif produced redacted versions of the bank statements. (Dkt. 69-1, Decl. of Dustin A. Huffine ("Huffine Decl.") at ¶ 10.)

On June 28, 2017, Plaintiff filed a motion for sanctions asserting, among other things, that Defendant Kraif's submission of redacted bank statements violated the Court's February 21, 2017, order. (Dkt. 55.) The Court held a hearing on the matter on July 25, 2017. At the hearing, the Court ordered the parties to meet and confer regarding a further deposition of Defendant Kraif. (Dkt. 60.) Furthermore, on August 1, 2017, the Court ordered Defendant Kraif to appear at a deposition, within thirty days of the date of

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that order, so that Plaintiff could “solic[i]t testimony relating to [Defendant Kraif’s bank statements].” (Dkt. 61.)

On August 29, 2017, Defendant Kraif’s counsel informed Plaintiff’s counsel that Defendant Kraif would not be attending the deposition (which had been scheduled for August 31, 2017). (*See* Huffine Decl. at ¶ 16.) To date, it appears that Defendant Kraif has still not made himself available for the limited deposition, despite the expiration of the deadline contained in the Court’s August 1 order.

Based on the foregoing, Defendant Kraif is hereby ordered to show cause, in writing and within ten (10) days of the date of this order, why his answer should not be stricken and his default entered for his failure to comply with the Court’s order requiring him to appear for a further deposition.

IT IS SO ORDERED.

	_____	:	_____
Initials of Preparer	JM		